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United States of America
FEDERAL TRADE COMMISSION
 Washington, DC 20580

Division of Advertising Practices
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MEMO ENDORSED

April 26, 2022

VIA ECF

Hon. Louis L. Stanton, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

RE: *FTC, et al. v. Quincy Bioscience Holding Co., Inc., et al.* (17-CV-00124-LLS)

Dear Judge Stanton:

Plaintiffs, the Federal Trade Commission (“FTC”) and the People of the State of New York by Letitia James, Attorney General of the State of New York (“NYAG”) (collectively, “Plaintiffs”) respectfully request that the Court enter the deadlines below to exchange proposed trial exhibit lists and complete briefing for the two summary judgment motions and a request to file under seal that are currently pending before the Court. Defendants have consented to all of the requested deadlines.

This letter constitutes the first request to modify the schedule for the submission of pretrial materials set out in the Court’s order of November 23, 2021 (Dkt No. 192) (“Pretrial Order”). This also is the first request for additional time to submit briefs related to Defendants’ motion for summary judgment and request for sealing, both filed on April 14, 2022 (Dkt Nos. 219 and 220). The NYAG, with Defendants’ consent, previously requested additional time for opposition and reply briefs for Mark Underwood’s motion for partial summary judgment (Dkt No. 210). The Court granted that request on March 30, 2022 (Dkt No. 216).

The parties have agreed to the following deadlines:

- Parties shall exchange proposed exhibit lists (paragraph 4 of the Pretrial Order) by April 28, 2022.
- The NYAG’s opposition to Mr. Underwood’s motion for partial summary judgment (Dkt No. 210) is due by May 6, 2022.
- Plaintiffs’ oppositions to Defendants’ April 14, 2022 motion for summary judgment (Dkt No. 220) and request to file under seal (Dkt No. 219) are due by June 16, 2022.

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- Mr. Underwood's reply to the NYAG's opposition to partial summary judgment is due by June 23, 2022.
- Defendants' replies in support of their April 14, 2022 motion for summary judgment (Dkt No. 220) and request to file under seal (Dkt No. 219) are due by July 8, 2022.

The parties continue to negotiate the deadlines for paragraphs 5-9 of the Pretrial Order and will seek the Court's approval for any additional modifications.

Respectfully,

/s/ Edward Glennon
Edward Glennon
Federal Trade Commission

/s/ Kate Matuschak
Kate Matuschak
New York State Office of the
Attorney General

cc: All parties via ECF